

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Brock Fredin,

Plaintiff,

v.

Grace Elizabeth Miller and
Catherine Marie Schaefer,

Defendants.

Civil No. 18-cv-0466 (SRN/HB)

**AMENDED
ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections were filed to the Report and Recommendation in the time period permitted.

On December 11, 2018, this Court issued an Order adopting the Report and Recommendation [Doc. No. 41]. However, the Order erroneously included the language “Let Judgment Be Entered Accordingly.” Based on that language, the case file was closed, and judgment was entered. The Court now issues the following, amended Order, based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. Plaintiff Brock Fredin’s Motion for Leave to File Amended Complaint [Doc. No. 29] is **GRANTED IN PART** and **DENIED IN PART** as to the

defamation per se claim, as set forth fully in Part II.B.2 of the Report and Recommendation; **GRANTED** as to the abuse of process claim; **GRANTED** as to the nonconsensual sexual solicitation claim; **GRANTED IN PART** and **DENIED IN PART** as to the invasion of privacy claim, as set forth fully in Part II.B.5 of the Report and Recommendation; **GRANTED** as to the negligence claim; **GRANTED** as to the false arrest/imprisonment claim; **GRANTED** as to the malicious prosecution claim; **GRANTED** as to the civil fraud claim; **GRANTED** as to the IIED claim; **GRANTED** as to the civil conspiracy claim; **GRANTED** as to the prima facie tort claim; and **DENIED** as to the copyright infringement claim;

3. Defendants Grace Elizabeth Miller and Catherine Marie Schaefer's Motion to Dismiss [Doc. No. 18] is **DENIED AS MOOT** as to the defamation per se claim; **DENIED** as to the abuse-of process claim; **DENIED** as to the nonconsensual sexual solicitation claim; **GRANTED IN PART** and **DENIED IN PART** as to the invasion of privacy claim, as set forth fully in Part II.B.5 of the Report and Recommendation; **DENIED** as to the negligence claim; **DENIED AS MOOT** as to the false arrest/imprisonment claim; **DENIED AS MOOT** as to the malicious prosecution claim; **DENIED AS MOOT** as to the civil fraud claim; **DENIED AS MOOT** as to the IIED claim; **DENIED** as to the civil conspiracy claim; and **DENIED AS MOOT** as to the prima facie tort claim;

4. All dismissals are **WITH PREJUDICE**;
5. Plaintiff is ordered to file an amended complaint that complies fully with this Order within fourteen days;
6. The Order at Docket No. 41 is hereby **VACATED**; and
7. The Clerk of Court is directed to **VACATE** the Judgment entered in this matter on December 12, 2018. [Doc. No. 42].

Dated: January 22, 2019

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge